

## UNITED STATES DISTRICT COURT

for the  
District of Arizona

United States of America )

v. )

Jesus Ricardo Rodriguez-Ramos, ) Case No. 17-406 MJ

A205 593 441 )Defendant )

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of September 26, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), a felony, and Title 8, U.S.C. § 1325(a)(2), a class B misdemeanor, an offense described as follows:

**See Attachment A Incorporated By Reference Herein**

I further state that I am a Border Patrol Agent with U.S. Customs and Border Protection.

This criminal complaint is based on these facts:

**See Attached Statement of Probable Cause Incorporated By Reference Herein**REVIEWED BY: <sup>CEB</sup> Charles E. Bailey Jr., P.S. for AUSA Sheila Phillips☒ Continued on the attached sheet.

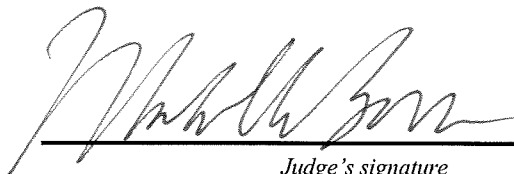
Complainant's signature

Oscar D. Estrada

U.S. Border Patrol Agent

Printed name and title

Reviewed, approved, and signed in person.

Date: September 27, 2017

Judge's signature

City and state: Phoenix, Arizona

Michelle H. Burns

United States Magistrate Judge

Printed name and title

**ATTACHMENT A**

**Count 1**

On or about September 26, 2017, Jesus Ricardo Rodriguez-Ramos, an alien, was found in the United States of America at or near Gila Bend, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Calexico, California, on or about June 16, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), a felony.

**Count 2**

On or about September 26, 2017, at or near Gila Bend, in the District of Arizona, Jesus Ricardo Rodriguez-Ramos, an alien, did elude the examination or inspection by immigration officers in violation of Title 8, United States Code, Section 1325(a)(2), a class B misdemeanor.

### **STATEMENT OF PROBABLE CAUSE**

I, Oscar D. Estrada, being duly sworn, hereby depose and state as follows:

1. Your affiant is a United States Border Patrol agent. I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On September 26, 2017, Border Patrol Agent Patrick Holland encountered an individual near Gila Bend, in the District of Arizona. The agent identified himself as a Border Patrol agent and performed an immigration inspection on the individual. The individual, later identified as Jesus Ricardo Rodriguez-Ramos, admitted to being a citizen and national of a country other than the United States, unlawfully present in the United States. Rodriguez-Ramos was transported to the Wellton Border Patrol Station for further processing. Rodriguez-Ramos was held in administrative custody until his identity could be confirmed along with his immigration and criminal history.
3. Immigration history checks revealed Jesus Ricardo Rodriguez-Ramos to be a citizen of Mexico and a previously deported alien. Rodriguez-Ramos was removed from the United States to Mexico through Calexico, California, on or about June 16, 2016, pursuant to a removal order issued by an immigration official. There is no record of Jesus Ricardo Rodriguez-Ramos in any Department of Homeland Security database to

suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal.

4. Furthermore, there is no record of Jesus Ricardo Rodriguez-Ramos in any Department of Homeland Security database to suggest that after his last removal from the United States he entered the United States at an official Port of Entry. Had Rodriguez-Ramos presented himself at a Port of Entry, Department of Homeland Security records likely would reveal that information. Accordingly, your affiant believes that Rodriguez-Ramos entered the United States at a location not designated as an official Port of Entry, and thereby eluded examination and inspection by Immigration Officers of the United States. Rodriguez-Ramos's immigration history was matched to him by electronic fingerprint comparison.
5. On September 26, 2017, Jesus Ricardo Rodriguez-Ramos was advised of his constitutional rights. Rodriguez-Ramos freely and willingly acknowledged his rights and agreed to answer questions or provide a statement under oath. Rodriguez-Ramos stated that his true and correct name is Jesus Ricardo Rodriguez-Ramos and that he is a citizen of Mexico. Rodriguez-Ramos stated that he entered the United States illegally, by walking through the desert, near San Luis Rio Colorado, Mexico.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about September 26, 2017, Jesus Ricardo Rodriguez-Ramos, an alien, was found in

the United States of America at or near Gila Bend, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Calexico, California, on or about June 16, 2016, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), a felony, and on or about September 26, 2017, at or near Gila Bend, in the District of Arizona, Jesus Ricardo Rodriguez-Ramos, an alien, did elude the examination or inspection by immigration officers in violation of Title 8, United States Code, Section 1325(a)(2), a class B misdemeanor.



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Oscar D. Estrada  
United States Border Patrol Agent

Sworn to and subscribed before me  
this 27<sup>th</sup> day of September, 2017.



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Michelle H. Burns  
United States Magistrate Judge